

1976 DECISIONS

- 76-01 Case #T-0210 - Certification - White Mountains Edu. Assoc. NHEA/NEA v. White Mountains Regional School District.
PELRB rescinded the certification on the basis that a complete contract was not submitted to the Board.
- 76-02 Case #U-0601 - Bargaining Unit Determination - University of New Hampshire System
Three separate bargaining units of all three universities; UNH - Durham, Keene Campus, Plymouth Campus. Board find that the Wheelock Laboratory School Faculty, Keene State College are excluded from bargaining unit.
- 76-03 Case #T-0263 - Hinsdale education Assoc. NHEA/NEA v. Barbara J. Yentzer, Eugene Gaffey and Bradley F. Kidder - Unit Determination - PELRB agreed to extend the right to submit additional material until 5/1/76. Unit includes all full-time teachers, Guidance Counselors, Department Chairmen Elementary Reading Supervisor. Excluded-Assistant Principal, Nurse and Teachers' Aides.
- 76-04 Case #T-0232 - Haverhill Cooperative Education NHEA/NEA v. Haverhill Cooperative School District. Unit Determination. - The issue is whether the Nurses, Guidance Counselor, Librarians and Part-time Employees should be in the bargaining unit. PELRB finds Nurses, Guidance Counselors and Librarians shall be in bargaining unit. Part-time employees to be excluded.
- 76-05 Case #T-0210 - White Mountain Education Assoc., NHEA/NEA v. White Mountain Regional School District Re-hearing on Rescission of Certification.
PELRB reaffirmed its decision to rescind the certification on the basis that the document submitted was not a complete contract.
- 76-06 Case #S-0301 thru S-0317- SEA - Unit Determination- At the inception of PELRB, Board voted to give recognition to bargaining units in effect on 12/21/75. PELRB denied SEA representing some 18 state agencies.
- 76-07 Case #S-0301 thru S-0317 SEA - Re-hearing of Unit Determination-
PELRB reaffirmed its decision denying SEA representation of some 18 state agencies.
- 76-08 Case #P-0701 - Bedford, NH Police Department v. Bedford Policy Assoc. Unit Determination - Inclusion: all full-time police including sergeants, dispatchers and secretaries. Exclusion: Chief and Lieutenant.
- 76-09 Case #U-0601 -University of New Hampshire -Unit Determination, Rehearing.
Board of Trustees of UNH specified that PELRB determination to include librarians and department chairmen in the unit at Keene State College and Plymouth State College was unlawful and unreasonable. Motion for rehearing on the exclusion of Wheelock Laboratory School was filed. PELRB reaffirms its decision of May 26, 1976 without modification.
- 76-10 Case #T-0217 -Candia School District v. Candia Federation of Teachers- Unit Determination - Re: Inclusion: all full-time teachers, grade 1-6 nad Junior High teachers, Music Director, guidance Counselor, Special Ed. Teacher, Speech Therapist, Learning Ability Specialist, Phys. Ed. Position and Nurse. Exclusion: Asst. Principal, Aides Under Title I, Special ed. Aide, & Library Aide.

- 76-11 Case #P-0701 - Town of Bedford, NH v. Bedford Police Assoc. Unit Determination
PELRB found the unit should consist of uniformed patrolmen, secretaries/
dispatchers and sergeants but shall exclude Chief and Lieutenant.
- 76-12 Case #F-0101--Local 1045, IAFF v. City of Concord, NH, Unit Determination
Unit will be composed of two units; (a) fire fighters and (b) Super-
visory unit. Firefighters will include all fire fighters, fire alarm
dispatchers, fire alarm linesmen, fire prevention inspector and ass't
mechanic. Supervisory unit will include all fire suppression officers,
lieutenants, captains, deputies, mechanical captain, fire alarm captain,
fire prevention lieut., fire prevention deputy and training deputy.
Employer has the option to bargain with the units as one, or as separate
units.
- 76-13 Case #U-0601 UNH-Rehearing Unit Determination. Reaffirmation of
previous decision No. 76-09 relative to three separate bargaining units
on the Durham, Plymouth and Keene Campus.
- 76-13 Case #T-0252 - Raymond Teachers Organization, NHEA/NH and Barbara J.
Yentzer and Richard F. Thompson - Unit Determination.
The issue is whether Department Chairmen, Assistant Principal and Nurses
should be included or excluded from the bargaining unit.
PELRB finds that Department Chairmen shall be included; the assistant
principal and nurses shall be excluded.
- 76-14 Case #T-0211 - Rochester Edu. Assoc. v. Rochester School Board- ULP -
After reviewing all submissions, PELRB recommended both parties go to
negotiating table. They returned to negotiations. No resolution
reached. School Board refused to go to mediation.
PELRB finds that an impasse exists and that the Board engaged in ULP
by refusing to mediate and ordered them to accept Federal Mediation.
- 76-15 Case #P-0705 - Somersworth, NH Police Commission v. Somersworth, NH
Police Association - Unit Determination - Testimony revealed that
supervisory responsibilities appeared to begin with the rank of Lieutenant
in the dept. and dispatchers have a community of interest with other
employees.
PELRB finds bargaining unit shall consist of all full-time police
officers up to and including rank of sergeants and dispatchers. Chief,
Deputy Chief, Captains and Lieutenants are excluded.
- 76-16 Case #S-0319 - Department of Revenue, NH v. SEA - Unit Determination
The bargaining unit shall consist of all classified employees, except,
Asst. Commissioner; Asst. Director, Audit Division; Field Audit Super.;
Director, Collection division; Director, Municipal Services; Asst
Property Appraisal Div; Real Estate Appraiser Training Officer; Asst.
Director, Returns Processing Div; Adm. Asst. I, Adm. Div. and Account
Steno I, Adm. Div.
Shall include: Auditor II, Audit Div; Clerk Steno III, Collection Div;
Clerk Steno IV, Mun. Serv. Div.; Clerk Steno IV, Property Appraisal
Div; and Clerk Steno IV, Returns Processing Div.
- 76-17 Case #T-0274 - Rochester Federation of Teachers v. Rochester School
Dist.-Petition for Election - After consideration PELRB by unanimous
vote, to conduct an election to determine the exclusive representative
for the teachers, department chairmen, Counsleors, librarians and
specialists in the Rochester School Dist.

76-18

Case #S-0318 - SEA v. UNH - Unit Determination.

PELRB ORDERS THAT THE Operating Staff of UNH shall consist of all full-time employees with exceptions: Confidential Secretaries to Dean, Vice Provost and principle Admin.; Library Technical Assist.; Asst. Foreman-Supervisors; Fire Dept. employees, Police Dept. employees; Cooperative Extension Aides, All faculty, and other technicians.

May 12, 1976 ✓

STATE OF NEW HAMPSHIRE

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

WHITE MOUNTAINS EDUCATION ASSOCIATION, NHEA/NEA
and

CASE NO. T-0210

WHITE MOUNTAINS REGIONAL SCHOOL DISTRICT
Supervisory Union #35
Carroll, Dalton, Jefferson, Lancaster and
Whitefield, New Hampshire

DECISION 76-01

BOARD DECISION

SUBJECT: Certification Determination for the Professional Employees of the
White Mountains Regional School District

White Mountains Education Association certified as the exclusive representative of the teachers, guidance counselors, librarians and other professional staff, including department heads of the White Mountains Regional School District on February 12, 1976.


Exception to that certification voiced by Donald H. Spalding, Chairman of the Board of Education Committee on Salary, Negotiations and Personnel, WMRSD, and Attorney Bradley F. Kidder representing the School District at a hearing on April 20, 1976.

After reviewing the submissions by the New Hampshire Education Association and the White Mountains Regional School District, the Board concluded that certification having been issued on the submission of a signed "Professional Remuneration Policy for Classroom Teachers, Negotiated between the Board of Education and the W.M.E.A., Adopted by Board of Education for 1975-1976", they (Public Employee Labor Relations Board), did, in fact, err in grandfathering the White Mountains Education Association.

On a motion from Board Member, Joseph B. Moriarty, second by Richard H. Cummings, the Board unanimously voted to rescind the certification of the White Mountains Education Association on the basis that a complete contract was not submitted to the Board.

Also, on a unanimous vote of the Board, the parties were instructed to get together and agree on the unit and upon agreement, an election would be held at the earliest possible date.

Decision rendered: May 12, 1976 at Concord, New Hampshire


Evelyn C. LeBrun, Clerk